

Michigan

A. STATE-AT-A-GLANCE

1) Program Operation	
2) Number of Local Offices (excluding Agencies under Cooperative Agreements)	Intake/locate staff in each social services office
3) Type of Agencies with Cooperative Agreements	(1) Prosecuting attorney in each county for order and paternity establishment, (2) Friend of the Court in each county/circuit for enforcement collection, interstate withholding and (3) Friend of the Court in 3rd Judicial Circuit (Wayne County), for order and paternity establishment.
4) Uniform Interstate Family Support Act	No
5) Agreements With Tribal Entities	None
6) Age of Majority for Termination of Support	18, but may order until 19 1/2 for completion of high school or beyond 19 1/2 by agreement of the parties.
7) Statutes of Limitation:	
• Collection of Past Due Support	Collection of Past Due Support
• Paternity Establishment	Paternity Establishment
Dormancy Revival/Renewal Possible [yes/no]	No
8) Guidelines	Modified income shares
9) Interest Rates on	
• Missed Payments	8%
• Retroactive Support	N/A
• Adjudicated Arrearage	
10) Arrearage Collections for Non-minor Child(ren)	Yes, if within statute of limitations and there is an original order from court of competent Jurisdiction. No variance form methods for preminority arrearages except Federal tax offset program.
11) Distribution Scheme	

• AFDC Arrears	Per Federal Regulations
• Non-AFDC Arrears	Per Federal Regulations
12) Procedures Regarding Medical Support Using Income Withholding	Laws have recently changed and new procedures are pending
13) New Hire Reporting	No
14) Recovery of Costs Elected Under State Plan	No
15) Recovery of Costs for Initiating State	No
16) Long-Arm Statute/s Citation/s	Yes (general long-arm), but there is conflicting case law as to minimum contacts necessary to establish failure to support resulting in an action for tort.
17) Automated Locate Resources	(1) Department of Motor Vehicles, (2) Department of Labor, (3) Public Assistance Client Information System.
18) Enforcement Options	Yes
• State Income Tax Refund Intercept	Yes
• License Revocation/ Suspension	No
• Administrative Liens	No
• Property Seizure & Sale	Yes
• State Funds/Benefits (please specify)	UCB, Worker's Compensation
• Other (please specify)	Offset of Lottery winnings
19) Spousal Maintenance Orders (specify yes or no)	
• Establish	Orders can be entered by the court, but not established by IV-D
• Enforce	If accompanying a child support obligation
• Modify	Orders can be modified by the court but not

	handled by IV-D
20) Current Spouse/Partner Information Required	Properly completed interstate Forms package provides all required information

B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

1) State Code Citation	N/A
2) Effective Date	N/A
3) Adopted Verbatim? If no, list differences.	N/A
4) Repeal URESA?	N/A
5) Repeal IWW?	N/A

C. INCOME WITHHOLDING

1) Income Withholding Terminology	Income Withholding Order (IWO) Interstate Income Withholding Order (IIW)
2) Income Withholding Procedures	See 23 on attachment
• State Withholding Limits	Consumer Credit Protection Act
• Fee Charged by Employers	None
• Date to Remit	Within three days of withholding
• Penalty	Contempt of Court penalties
3) Definition of Employer	Any individual, sole proprietorship, partnership, association, or private or public corporation, the United States or any federal agency, this state or any political subdivision of this state, or any other state or political subdivision of another state, or any other legal

	entity which hires and pays an individual for his or her services
4) Included Income	Commissions, earnings, wages, and other income to be due in the future from his or her employer or successor employers. Any payment due or to be due in the future from a profit sharing plan, pension plan, insurance contract, annuity, social security, unemployment compensation, supplemental unemployment benefits, and worker's compensation. Any amount of money which is due to the payer under a support order as a debt of any other individual, partnership, association, or private subdivision of this state, or any other state or political subdivision of another state, or any other legal entity which is indebted to the payer
5) Excluded Income	Public Assistance
6) Direct Income Withholding for Unemployment Compensation, include address	N/A in interstate context- not a UIFSA state
7) Direct Income for Worker's Compensation, include address	N/A in interstate context - not a UIFSA state
8) Direct Income Withholding, other income sources subject to, include address	N/A in interstate context - not a UIFSA state
9) Direct Income Withholding, list Other Income Sources NOT subject to	N/A in interstate context - not a UIFSA state
10) Federal Withholding (See Federal Pay Agents Section)	IV-D Directors need not answer this question.
11) Procedures for Contesting Income Withholding	Must contest within 28 days of filing of order
12) Arrearages through Income Withholding	Yes
13) Enforcing Against Non-Resident Obligor Asset/Income	Yes
14) Exception to Immediate Withholding	The court finds upon notice and hearing that there is good cause for the order not to take effect immediately, or the parties enter into a written agreement that is reviewed by the court and entered into the court record
15) Multiple Obligations	

Withholding Priorities	
• Policy	Allocated as per Michigan statute
• Priority	Current child support, child support arrears, health care coverage
• Assistance	Local Friend of the Court
• Allocation	By ratio of obligation to available income

D. PATERNITY

1) Interstate Paternity Procedures	Cases handled by prosecuting attorney (Friend of the Court in Wayne County) in respondent's county of residence; will attempt to obtain acknowledgment and stipulated order; will arrange for blood testing if paternity is contested
Consent Orders Obtained	Yes
2) Uniform Parentage Act	No
3) Uniform Act on Blood Testing	No
4) Parentage Order Available Without Order for Support	Yes
5) Custody/Visitation Addressed Subject to Tribunal's Jurisdiction	No
6) Genetic Test Results as Presumption of Paternity	Yes
Threshold	99% or higher
7) Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)	Yes, rebuttable
8) Marriage as Presumption of Paternity	Yes
9) Putative Father's Name on Birth Certificate, Effect of	No. Can only be included if legal father
10) Other Statutory Presumptions	

	No
11) Recognition of Common Law Marriage	Yes, if valid in State in which it occurred or if before 1/1/57 in MI
12) Personal Appearance of Witness or Custodial Parent Required	No, but may be demanded in contested cases
Acceptable Methods of Testimony	Deposition; teleconferencing may be possible in uniquely arranged circumstances
13) Long-Arm Statute	Yes, but there is conflicting case law as to minimum contrasts necessary to establish failure to support resulting in an action for tort.
14) Assistance to Other States Using Their Long-Arm Statutes	
• Service of Process	Yes
• Genetic Testing	No
15) Recovery of Genetic Testing Costs for Other States	Yes

E. SUPPORT ORDER ESTABLISHMENT

1) Interstate Procedures	Variable by type of request received, (1) Full URESA petitions handled by Prosecuting Attorney in county of residence of respondent, (2) URESA Registration requests are handled by Friend of the court in obligor's county of residence, (3) Interstate Income Withholding requests processed by Friend of the Court in county where obligor's employer is located, (4) Support collections made under any type of MI child support order processed by Friend of the Court where order is entered
2) Income Considered for Setting Support	(1) Cost of providing health insurance for the child, (2) child care costs, (3) CP's net income/assets, (4) AP's net income/assets, (5) second family involvement, (6) inflationary factors, (7) custodial arrangements, (8) pre-existing orders, (9) visitation abatement.
3) Criteria for Rebuttal	Applying guidelines would be unfair or unjust.
4) Support Order for Prior Periods	Paternity Act authorizes support for prior periods, provided filing occurs before age six

F. ENFORCEMENT

(Note: If multiple orders, see Part “G”)

I. ENFORCING YOUR OWN ORDER

1) Enforcement for Non-Resident Family	
2) Administrative Procedures and Remedies Available	No
3) Judicial Procedures and Remedies Available with Registration	Yes

II. ENFORCING OTHER STATES' ORDERS

4) Administrative Procedures and Remedies Available Without Registration	None
5) Judicial/Administrative Remedies with Registration	All remedies that are available on other Michigan orders
6) UIFSA/URESA Registration and Enforcement Procedure	Confirmed URESA registered order is treated in same manner as an order issued by the Michigan court
7) Judicial Procedures Required after Registration	Same as for other Michigan orders
8) Uniform Enforcement of Foreign Judgments Act Citation	MCL. 691.1151-1159

G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1) Jurisdiction Requirements	Orders registered in Michigan fall under Jurisdiction of circuit courts
2) Modification Procedures	<p>The Friend of the court must review child support orders not less than once each 24 months when:</p> <ul style="list-style-type: none">• A party requests a review in writing. This applies to each party independently and regardless of the assistance status of the child.

	<ul style="list-style-type: none"> • The child subject to the order receives AFDC or Medicaid unless: <ul style="list-style-type: none"> -- Good cause exists not to proceed with support action, and -- Neither party requested a review. • The child subject to the order receives Medicaid unless the order provides for health care coverage of the child and neither party requested a review. • The initiating state in an interstate case requests a review on behalf of a recipient of Title IV-D services. <p>The FOC can also review a child support order at its initiative if there is reason to believe that the child support award requires change or that dependent health care coverage is available to parties so that they can file their own actions.</p>
3) Criteria for Modification	See Procedures for periodic and requested reviews. For FOC initiated reviews, criteria includes a change in the physical custody of a child not ordered by the court, increased or decreased need of a child, changed financial conditions of the parties, probable access by an employed parent to dependent health care coverage.
4) Criteria for Change of Circumstances	
5) Frequency With Which Reviews are Conducted	Same as 3 (Criteria for Modification)
6) Criteria for Review	Every 24 months as described in procedures.
7) Criteria for Adjustment	10% of ordered amount, or \$5.00/wk, whichever is less

H. MULTIPLE ORDERS ENFORCEMENT AND MODIFICATION

1) Controlling Order	N/A
2) Date of Controlling Order	N/A
3) If No Controlling Order	N/A
4) Arrears Procedure	N/A

I. Documentation Required to Initiate Requests

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each document	Certification required for each document *See below
Establishment of Paternity and Support	None normally required; specific/unique case situations may call for additional materials.		
Enforcement of Responding State's Order	Properly completed interstate forms package; a copy of the Michigan order is helpful but not mandatory		
Modification of Responding States' Orders	Friend of the Court holding the original order will provide appropriate forms in response to request for order review/modification		
Administrative Enforcement of Another States' Order	N/A		
Registration for Enforcement of Another States' Order	URESAs registration only		
Collection of Arrearages in Multiple Orders	N/A		
Uniform Enforcement of Foreign Judgments Act	N/A		
Modification of Another State's Order	Not available		
Status Update on an Existing Interstate Case	Should be sent directly to local Michigan agency handling the case, either Friend of the Court or Prosecuting Attorney		
Assistance/Discovery	N/A		
Quick Locate	Requests received on FSA 206 or document with same data in same order as FSA 206 will receive expedited responses		

*A= Notarization by Notary Public; B= Certification by signature of agency official;
C= Certification by signature of court official; D= Others (please specify);
E= Certification not required

J. State Contact Chart

ASSISTANCE NEEDED	CONTACT Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	Office of Child Support, Family Independence Agency 7109 W. Saginaw Hwy P.O. Box 30478 Lansing, MI 48909-7978
Central Registry	Office of Child Support, Family Independence Agency Attn: Interstate Support Registry 7109 W. Saginaw Hwy P.O. Box 30037 Lansing, MI 48909-7978 FAX (517)373-4980
Interstate Policy Contact (if different)	Office of Child Support Bill Hart, Senior Analyst Ph (517)335-0892 Brian Mertz, Interstate Analyst Ph (517)335-6349 Connie Keeler, Interstate Technician Ph (517)335-0891
Contact for Information Regarding Long Arm Statute and Process	Office of Child Support Policy and Program Development Unit Ph (517)373-3692
Contact for Information Regarding Collection and Distribution (State level)	Office of Child Support, Family Independence Agency Sue Ellen Andrews, Mgr. Distribution and Client Services Phone (517)335-3486
Contact to Obtain Payment Records	Local Friend of the Court in the county where the order was issued
Contact to Obtain Copy of Order	Local Friend of the Court in the county where the order was issued
Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no "case" in your State) for	Local Prosecuting Attorney in respondent's county of residence
1 Service of Process (private process server? If so , list)	Local Prosecuting Attorney in obligor's/respondent's county of residence
1 Genetic Testing (e.g. assistance with interstate teleconferencing)	Local Prosecuting Attorney in respondent's county of residence
New Hire Reporting Contact	N/A
Employer Assistance Contact	None
Telephone Number for Automated Interstate Case <i>Status</i> Requests (if any)	None

Telephone Number for Automated Interstate Case <i>Payment</i> Requests (if any)	None
Privatization Contact	N/A